

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17886 of 2022**

Arising Out of PS. Case No.-532 Year-2017 Thana- NAUTAN District- West Champaran

BIRENDRA YADAV @ GIRI YADAV SON OF ASESHAR YADAV R/O
VILLAGE- WARD NO.-4, MADHUBAN BHAGWANPUR, P.S.- NAUTAN,
DISTRICT- WEST CHAMPARAN AT BETTIAH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mrs.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 414, 34 of the I.P.C. and Section 30(a), 36 of Bihar Prohibition and Excise Act.

As per the prosecution case, 5 liters & 400 ml. of illicit foreign liquor has been recovered from a motorcycle and petitioner has been made accused on the disclosure made by co-accused, who was apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. Recovery has been made from the house, which is in joint possession of the family. Petitioner is in custody since 07.02.2022.



Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got four criminal antecedent of similar nature.

Considering the aforesaid facts and circumstances as well as the fact that petitioner has got criminal antecedent of similar nature of cases, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release the petitioner on bail, **after framing of the charge.**

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

